

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

STEPHEN P. CURTIS, et. al.

Case No. 1:20-CV-00748

Plaintiffs

v.

MAGGIE TOULOUSE OLIVER

Defendant

**PROPOSED AGREED ORDER AND STIPULATION CONCERNING SUBPOENA TO
DONA ANA CLERK AMANDA LOPEZ ASKIN**

Plaintiffs, by and through Counsel, and Dona Ana Clerk Amanda Lopez, Askin, by and through Counsel, submit this Agreed Order and stipulation:

1. Deputy Dona Ana Clerk Amanda Bachman has reviewed the write-in and other votes cast for Stephen P. Curtis, in the 2020 Primary Election;
2. As a consequence of that review, 16 additional votes for Mr. Curtis were not tallied in the initial canvass and were not reported to the New Mexico Secretary of State for Dona Ana County, but were actually cast for Mr. Curtis;
3. In light of this error, the Dona Ana Deputy Clerk of Court Amanda Bachman will be prepared to testify and will testify to this 16 vote undercount at the preliminary injunction hearing scheduled for Monday August 17, 2020;
4. The Court hereby orders that the Dona Ana Clerk or her designees are authorized to access the Libertarian ballots cast for the 2020 primary election for purposes of entering into this stipulation and for testifying to same, and that this Order shall be valid for all purposes under New Mexico law to permit the Clerk access to the ballots in question; and

5. In light of this stipulation and agreement to testify to same at the August 17, 2020 primary, Plaintiffs hereby withdraw their request and subpoena for the images or copies of the actual ballots cast for Mr. Curtis in the 2020 New Mexico Primary.

IT IS SO ORDERED:

Judge Browning

HAVE SEEN AND AGREE:

/s/Christopher Wiest
Counsel for Plaintiffs

/s/Nelson Goodin
County Attorney and Counsel for
Dona Ana County

CERTIFICATE OF SERVICE

I certify that I have served a copy of the foregoing upon the Defendant, and the Counsel for the County Clerks, this 14 day of August, 2020, via filing the foregoing in the Court's CM/ECF System, which will provide notice to all counsel of record.

/s/Christopher Wiest
Christopher Wiest (KBA 90725)